

1 William Bonham, SBN: 55478
2 Attorney at Law
2 916 2nd Street, 2nd Floor
Sacramento, CA 95814
3 (916) 557-1113

4 Attorney for defendant EDWIN BALERO

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7
8 UNITED STATES DISTRICT COURT
9 EASTERN DISTRICT OF CALIFORNIA

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11 UNITED STATES OF AMERICA,

12 Plaintiff,
13 v.

14 EDWIN WILLIAM BALERO,
15 Defendant.

No. 99-CR-401/12-CR-0369 JAM

**STIPULATION AND ORDER TO
CONTINUE STATUS CONFERENCE**

16
17 The defendant, EDWIN BALERO, through his undersigned
18 counsel, and the United States, through its undersigned counsel,
19 hereby agree and request that the status conference currently set
20 for Tuesday, June 10, 2014 at 9:30 am be vacated and continued
21 until Tuesday, June 24, 2014 at 9:30 am.

22 A continuance is necessary to provide the parties with
23 additional time for case preparation, investigation, and ongoing
24 plea and sentencing negotiations. Defense counsel has been
25 dealing with an ongoing family crisis involving the illness of
26 his sister-in-law, who passed away yesterday morning, June 4th.
27 Additionally, counsel was recently notified that his client has
28 been moved from the Sacramento County Main Jail to the Colusa

1 County Jail approximately 1 hour outside of Sacramento.

2 The parties stipulate that time should be excluded under the
3 Speedy Trial Act to allow the defendant continuity of counsel and
4 to provide the parties additional time for case preparation and
5 ongoing plea and sentencing negotiations. Local Code T4 & 18
6 U.S.C § 3161 (h)(7)(B)(iv).

7 I, William E. Bonham, the filing party, have received
8 authorization from AUSA Michael McCoy to sign and submit this
9 stipulation and proposed order on his behalf.

10 Accordingly, the defense and the United States agree and
11 request that the status conference for defendant EDWIN BALERO, be
12 continued to Tuesday, June 24, 2014 at 9:30 am. The parties
13 stipulate that the ends of justice served by granting this
14 continuance outweigh the best interests of the public and
15 defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A).

16 Dated: June 5, 2014

17 BENJAMIN B. WAGNER
United States Attorney

18 By:/s/ WILLIAM E. BONHAM for
19 MICHAEL McCOY
Assistant U.S. Attorney

20
21 Dated: June 5, 2014

22 By:/s/ WILLIAM E. BONHAM for
23 WILLIAM E. BONHAM
Counsel for Defendant
24 EDWIN BALERO
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ORDER

2 IT IS SO ORDERED. The status conference for defendant, EDWIN
3 BALERO, currently set for Tuesday, June 10, 2014 at 9:30 am is
4 vacated and continued to Tuesday, June 24, 2014 at 9:30 am.

5 I find that the continuance is necessary due to the needs of
6 counsel for additional case preparation and plea/sentencing
7 negotiations as defense counsel has been dealing with an ongoing
8 family crisis, the defendant was recently moved and that a
9 failure to do so would deny counsel reasonable time for effective
10 preparation, taking into account the exercise of due diligence,
11 and the defendant continuity of counsel. Accordingly, time is
12 excluded under the Speedy Trial Act, due to needs of counsel for
13 additional case preparation and ongoing plea/ sentencing
14 negotiations, from June 10, 2014 up to and including June 24,
15 2014 pursuant to Local Code T4 and 18 U.S.C. § 3161(h)(7)(B)(iv).
16 I find that the ends of justice served by granting this
17 continuance outweigh the best interest of the public and
18 defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A).

19 || Dated: June 5, 2014

/s/ John A. Mendez
HON. JOHN A. MENDEZ
U.S. DISTRICT COURT JUDGE